

BILL NO. G-75-03- 17

GENERAL ORDINANCE NO. G- 07-75

AN ORDINANCE amending General Ordinance No. G-97  
by authorizing the vacation of a portion of  
Fernwood Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Fernwood Avenue  
having been filed with the Fort Wayne City Plan Commission on January 30, 1975  
following a public hearing thereon, all in accordance with Section 44, Chapter 174,  
of the Acts of the General Assembly of the State of Indiana, as amended by Section  
3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana  
(Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set  
forth in General Ordinance No. G-97 adopted by the Common Council of the City of  
Fort Wayne on November 26, 1963, is amended by deleting the following portion of  
Fernwood Avenue, Allen County, Indiana, to-wit:

A sixty (60) foot right of way, thirty (30) feet on either side of  
the following described center line:

Beginning at a point on the centerline of Fernwood Avenue, and  
25 feet east of the intersection of the west line of the east half (1/2)  
of the west half (1/2) of Section Twenty-five (25), Township thirty-  
one (31) North, Range twelve (12) East; thence in an easterly direction  
following the centerline extended of Fernwood Avenue, a distance of  
five hundred forty (540) feet; thence on a curve to the left with a  
radius of two hundred nineteen and forty-six hundredths (219.46)  
feet, a distance of one hundred twenty and fifty-seven hundredths  
(120.57) feet; thence north fifty-eight (58) degrees, six (06) min-  
utes, forty (40) seconds east, a distance of one hundred twelve and  
eighteen hundredths (112.18) feet; thence on a curve to the right  
with a radius of four hundred ninety (490) feet, a distance of two  
hundred seventy-two and seventy-four hundredths (272.74) feet,  
thence due east to the intersection of Parnell Avenue

SECTION 2. After passage of this Ordinance, approval by the Mayor  
and legal publication, a duly certified copy of this Ordinance, of the recommenda-  
tion of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall  
be transmitted by the City Clerk to the Board of Public Works of the City of Fort  
Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and  
after its passage, approval by the Mayor and legal publication thereof.

*Eugene Krausk.*  
\_\_\_\_\_  
Councilman

APPROVED AS TO FORM  
AND LEGALITY

*And Sta*  
\_\_\_\_\_  
CITY ATTORNEY

Read the first time in full and on motion by Kraus, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 3/11/75

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Kraus, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~Lost~~) by the following vote:

AYES 9, NAYS 0, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

BURNS	<u>✓</u>	_____	_____	_____
HINGA	<u>✓</u>	_____	_____	_____
KRAUS	<u>✓</u>	_____	_____	_____
MOSES	<u>✓</u>	_____	_____	_____
NUCKOLS	<u>✓</u>	_____	_____	_____
SCHMIDT, D.	<u>✓</u>	_____	_____	_____
SCHMIDT, V.	<u>✓</u>	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____

DATE: 3-25-75

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) <sup>General</sup> (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 22-07-75 on the 25<sup>th</sup> day of March, 1975.

ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

James Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26<sup>th</sup> day of March, 1975, at the hour of 1:00 o'clock A. M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 26<sup>th</sup> day of March, 1975, at the hour of 3:00 o'clock P. M., E.S.T.

Don Sharp  
MAYOR

Bill No. G-75-03-17

REPORT OF THE COMMITTEE ON REGULATIONS  
Regulations

We, your Committee on \_\_\_\_\_ to whom was referred an Ordinance  
amending General Ordinance No. G-97 by authorizing the vacation of a  
portion of Fernwood Avenue  
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\_\_\_\_\_

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do. PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

*Eugene Kraus, Jr.*  
*John Nuckols*  
*Paul M. Burns*  
*D. Schmidt*



## COMMUNITY DEVELOPMENT AND PLANNING

February 25, 1975

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

The public right-of-way described as that portion of Fernwood Avenue lying East of the West line of the East Half of the West Half of Section 25, Township 31 North, Range 12 East, Allen County, Indiana, and Easterly to Parnell Avenue, more particularly described as:

A sixty (60) foot right-of-way, thirty (30) feet on either side of the following described centerline:

Beginning at a point on the centerline of Fernwood Avenue, and 25 feet east of the intersection of the west line of the east half (1/2) of the west half (1/2) of Section Twenty-Five (25), Township thirty-one (31) North, Range twelve (12) East; thence in an easterly direction following the centerline extended of Fernwood Avenue, a distance of five hundred forty (540) feet; thence on a curve to the left with a radius of two hundred nineteen and forty-six hundredths (210.46) feet, a distance of one hundred twenty and fifty-seven hundredths (120.57) feet; thence north fifty-eight (58) degrees, six (06) minutes, forty (40) seconds east, a distance of one hundred twelve and eighteen hundredths (112.18) feet; thence on a curve to the right with a radius of four hundred ninety



February 25, 1975

(490) feet, a distance of two hundred seventy-two and seventy-four hundredths (272.74) feet, thence due east to the intersection of Parnell Avenue.

which was approved by the City Plan Commission at its regular meeting held February 24, 1975.

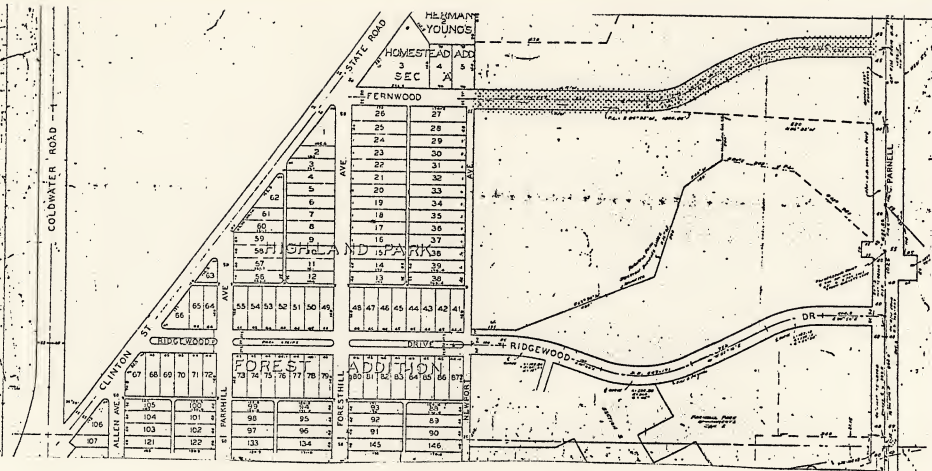
Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
25th day of February, 1975.

A handwritten signature in dark ink, appearing to read "C. N. Hall", written over a horizontal line.

Charles N. Hall  
Secretary



STREET TO BE VACATED

## R E S O L U T I O N

WHEREAS, WALLACE F. HOLLADAY and WILHELMINA C.

**HOLLADAY** have petitioned and requested the Fort Wayne City Plan

Commission to hold a public hearing upon the vacation of the following described public right-of-way in Allen County, Indiana, to-wit:

The public right-of-way described as that portion of Fernwood Avenue lying East of the West line of the East Half of the West Half of Section 25, Township 31 North, Range 12 East, Allen County, Indiana, and Easterly to Parnell Avenue, more particularly described as:

A sixty (60) foot right of way, thirty (30) feet on either side of the following described center line:

Beginning at a point on the centerline of Fernwood Avenue, and 25 feet east of the intersection of the west line of the east half (1/2) of the west half (1/2) of Section Twenty-five (25), Township thirty-one (31) North, Range twelve (12) East; thence in an easterly direction following the centerline extended of Fernwood Avenue, a distance of five hundred forty (540) feet; thence on a curve to the left with a radius of two hundred nineteen and forty-six hundredths (219.46) feet, a distance of one hundred twenty and fifty-seven hundredths (120.57) feet; thence north fifty-eight (58) degrees, six (06) minutes, forty (40) seconds east, a distance of one hundred twelve and eighteen hundredths (112.18) feet; thence on a curve to the right with a radius of four hundred ninety (490) feet, a distance of two hundred seventy-two and seventy-four hundredths (272.74) feet, thence due east to the intersection of Parnell Avenue,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Indiana Statutes Annotated, 1964 Replacement, Section 54-744); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on the 24th day of February, 1975, at 7:30 o'clock P. M., and at such hearing

were no objections of any kind or character which should prevent the vacation of said public right of way.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public right of way hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and,

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public right of way hereinbefore described be and the same is hereby approved; and,

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said public right of way hereinbefore described, and other public ways in the City of Fort Wayne, Allen County, Indiana.

STATE OF INDIANA     )  
                              ) SS:  
COUNTY OF ALLEN     )

I, \_\_\_\_\_ President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a Resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on February 24th, 1975, at 7:30 o'clock P. M., and as the same appears of record in the official records of said Plan Commission.

Dated this \_\_\_\_\_ day of February, 1975.

  
\_\_\_\_\_  
President  
Fort Wayne City Plan Commission



TO: FORT WAYNE CITY PLAN COMMISSION

PETITION TO VACATE FERNWOOD  
AVENUE FROM NEWPORT AVENUE  
EAST TO PARNELL AVENUE

COME NOW owners of the real estate abutting the hereinafter described public right-of-way, and petition for the vacation of same, and allege and say:

1. That the section of Fernwood Avenue from the intersection of the West line of the East Half of the West Half of Section 25, Township 31 North, Range 12 East, and Easterly to Parnell Avenue was conveyed by deed to the City of Fort Wayne on the 14th day of October, 1969, which said instrument was recorded on October 31, 1969, in the Office of the Recorder of Allen County, Indiana, in Deed Record 734, page 429.

2. That the plans for the use of the adjacent land have now been changed, and that as a result, this portion of Fernwood Avenue is no longer needed nor necessary.

3. That the part of Fernwood Avenue to be vacated, described as:

A sixty (60) foot right of way, thirty (30) feet on either side of the following described center line:

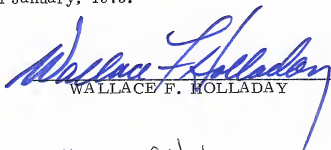
Beginning at a point on the centerline of Fernwood Avenue, and 25 feet east of the intersection of the west line of the east half (1/2) of the west half (1/2) of Section Twenty-five (25), Township thirty-one (31) North, Range twelve (12) East; thence in an easterly direction following the centerline extended of Fernwood Avenue, a distance of five hundred forty (540) feet; thence on a curve to the left with a radius of two hundred nineteen and forty-six hundredths (219.46) feet, a distance of one hundred twenty and fifty-seven hundredths (120.57) feet; thence north fifty-eight (58) degrees, six (06) minutes, forty (40) seconds east, a distance of one hundred twelve and eighteen hundredths (112.18) feet; thence on a curve to the right with a radius of four hundred ninety (490) feet, a distance of two hundred seventy-two and seventy-four hundredths (272.74) feet, thence due east to the intersection of Parnell Avenue,

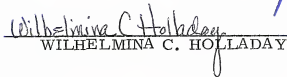
has never been improved nor used.

4. That the public right of way above described is not needed, and the vacation of the public right of way hereinbefore described conforms to the general plan and pattern of development set out in the master plan of the City of Fort Wayne, Indiana.

WHEREFORE, your petitioners pray and ask this Commission to adopt a resolution authorizing the vacation of said public right of way.

Dated this 30<sup>th</sup> day of January, 1975.

  
WALLACE F. HOLLADAY

  
WILHELMINA C. HOLLADAY

TITLE OF ORDINANCE Street Vacation ordinance

8-95-0347

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of a portion of Fernwood Avenue (See attached map and legal description)

EFFECT OF PASSAGE Street would be closed and utilized by abutting developers and property owners.

EFFECT OF NON-PASSAGE Street would remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

March 27, 1975

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of March 31 and April 7, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Bill No. G-75-03-16  
General Ordinance No. G-06-75

Bill No. G-75-03-17  
General Ordinance No. G-07-75

Bill No. G-75-03-18  
General Ordinance No. G-08-75

Bill No. G-75-03-19  
General Ordinance No. G-09-75

Please send us five (5) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CWW/ne  
Encl: 4

Common Council of Fort Wayne  
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Number of lines

123

Number of lines

2

Number of lines in notice

125

AGES

Columns 1 column wide equals 125 equivalent lines at 2884

\$36.00

Charge for notices containing rule or tabular work (50 per cent of above

1.50

Extra proofs of publication (50 cents for each proof in excess of two)

\$37.50

TOTAL AMOUNT OF CLAIM

G COST

Single column 11 ems

Size of type 5 1/2 point

Insertions 2

Size of quad upon which type is cast 5 1/2

Pen and penalties of Ch. 86, Acts 1967,

The foregoing account is just and correct, that the amount claimed is legally due, after allowing for what of the same has been paid.

V. E. Gerken

19 75

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken, who, being duly sworn, says

that he is Clerk of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

3/31 &amp; 4/7/75

Subscribed and sworn to before me this 7th day of April 19 75

V. E. Gerken

Notary Public

My commission expires October 25, 1975

Notice is hereby given that on the 25th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-75-03-17, G-75 General Ordinance, to-wit:

BILL NO. G-75-03-17  
GENERAL ORDINANCE NO. G-75-03-17  
An Ordinance amending General Ordinance No. G-77 by authorizing the vacation of a portion of Fernwood Avenue and Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. Petition for the vacation of a portion of Fernwood Avenue having been filed with the Fort Wayne City Plan Commission on January 30, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 33-746), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 24, 1963, is amended by deleting the following provision of Fernwood Avenue, Allen County, Indiana, to-wit:

A sixty (60) foot right of way, thirty (30) feet on either side of the following described center line:

Beginning at a point on the center line of Fernwood Avenue, and 25 feet east of the intersection of the west line of the east half (1/2) of the west half (1/2) of Section Twenty-five (25), Township thirty-one (31) North, Range twelve (12) East; thence in an easterly direction following the centerline extended of Fernwood Avenue, a distance of five hundred forty (540) feet; thence on a curve to the left with a radius of two hundred nineteen and forty-six hundredths (219.46) feet, a distance of one hundred twenty and fifty-six hundredths (120.57) feet; thence on a curve to the right with a radius of one hundred and eighty-four and seventy-four hundredths (184.74) feet, a distance of one hundred and eighty-four and seventy-four hundredths (184.74) feet; thence on a curve to the right with a radius of four hundred and ninety (490) feet, a distance of two hundred seventy-two and seventy-four hundredths (272.74) feet; thence due east to the intersection of Fernwood Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

## EUGENE KRAUSH

Read the third time in full and on motion by Kraush, seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine—Burns, Hinga, Krasu, Moser, Ruckelsh, D. Schmidt, V. E. Schmidt, Stier, Talarico.

Nayes: None.

Date: 3-25-75

CHARLES W. WESTERMAN, City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-75-03-17 on the 25th day of March, 1975.

ATTEST: (SEAL)

Charles W. Westerman, City Clerk  
James S. Stier, Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of March, 1975, at the hour of 10:30 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk  
Approved and signed by me this 26th day of March, 1975, at the hour of 2:08 o'clock P.M., E.S.T.

IVAN A. LEBANOFF, Mayor  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-75-03-17 passed by the Common Council on the 25th day of March, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of March, 1975 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of March, 1975.

CHARLES W. WESTERMAN, City Clerk

SEAL

Common Council of Fort Wayne  
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

123

2

125

## COMPUTATION OF CHARGES

125 lines, 1 columns wide equals 125 equivalent lines at \$288.4 cents per line

\$36.00

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$37.50

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 69, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Cerken

Date April 7, 1975

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Cerken

that she is Clerk

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

3/31 &amp; 4/7/75

V. E. Cerken

Subscribed and sworn to before me this 7th day of April 1975

Notary Public

My commission expires October 25, 1975

COPY OF  
MENT HERE

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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number of lines

total number of lines in notice

## REGES

nes, 1 columns wide equals 125 equivalent lines at .288¢  
its per line

\$ 36.00

charge for notices containing rule or tabular work (50 per cent of above)

extra proofs of publication (50 cents for each proof in excess of two)

1.50

TAL AMOUNT OF CLAIM

\$ 37.50

## NG COST

ngle column 11 ems

Size of type 5 $\frac{1}{2}$  point

insertions 2

Size of quad upon which type is cast 5 $\frac{1}{2}$ 

on and penalties of Ch. 89, Acts 1967,

e foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla DeWald

Title CLERK

19 75

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
Allen County }

Personally appeared before me, a notary public in and for said county and state, the

undersigned ARVILLA DEWALD

who, being duly sworn, says

that she is CLERK

of the

JOURNAL-GAZETTE

a DAILY

newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

In state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

3/31 &amp; 4/7/75

Subscribed and sworn to before me this 7th day of April 19 75

Arvilla DeWald

Notary Public

My commission expires October 25, 1975

LEGAL NOTICE  
Notice is hereby given that on the 23rd day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a regular session did pass the following Bill No. G-75-03-17, G-07-75 General Ordinance, to-wit:BILL NO. G-75-03-17  
GENERAL ORDINANCE NO. G-07-75  
An Ordinance amending General Ordinance No. G-97 by authorizing the vacation of a portion of Fernwood Avenue. Be it ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. Petition for the vacation of a portion of Fernwood Avenue having been filed with the Fort Wayne City Plan Commission on January 30, 1975 following a public hearing thereon, and in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Sta., 1974 Replacement, Sec. 53-744), the thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 28, 1963, is amended by deleting the following portion of Fernwood Avenue, Allen County, Indiana, to-wit:

A sixty (60) foot right of way, thirty (30) feet on either side of the following described center line:  
Beginning at a point on the center line of Fernwood Avenue, and 25 feet east of the intersection of the west line of the east half (½) of the west half (½) of Section Twenty-five (25), Township thirty-one (31) North, Range twelve (12) East; thence in an easterly direction following the centerline extended of Fernwood Avenue, a distance of five hundred forty (540) feet; thence on a curve to the left with a radius of two hundred nineteen and forty-six hundredths (219.46) feet, a distance of one hundred twenty and fifty-seven hundredths (120.57) feet; thence north fifty-eight (58) degrees, six (6) minutes, forty (40) seconds east, a distance of one hundred twelve and eighteen hundredths (112.18) feet; thence on a curve to the right with a radius of four hundred ninety (490) feet, a distance of two hundred seventy-two and seventy-four hundredths (272.74) feet; thence due east to the intersection of Parnell Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance of recommitment of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

EUGENE KRAUSH  
Counsellman  
Read the third time in full and on motion by Kraush, seconded by Talarico, and duly adopted, placed on its passage.  
PASSED by the following vote:  
Ayes: Nine—Burns, Hinga, Krasu, Moss, Nickols, D. Schmidt, V. Schmidt, Slier, Talarico.  
Nays: None.  
Date: 3-25-75CHARLES W. WESTERMAN  
City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-07-75 on the 23rd day of March, 1975.  
ATTEST: (SEAL)Charles W. Westerman  
City Clerk  
James S. Slier,  
Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of March, 1975, at the hour of 10:00 o'clock A.M., E.S.T.CHARLES W. WESTERMAN,  
City Clerk  
Approved and signed by me this 26th day of March, 1975, at the hour of 3:00 o'clock P.M., E.S.T.IVAN A. LEBANOFF,  
Mayor  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true, full and complete copy of General Ordinance No. G-07-75 passed by the Common Council on the 23rd day of March, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of March, 1975 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of March, 1975.

CHARLES W. WESTERMAN,  
City Clerk

SEAL



Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

123

2

125

## COMPUTATION OF CHARGES

125 lines 1 columns wide equals 125 equivalent lines at .288¢ cents per line

\$ 36.00

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 37.50

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Title CLERK

Date April 7, 1975

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows: 3/31 & 4/7/75

Subscribed and sworn to before me this 7th day of April 1975

My commission expires October 25, 1975

Notary Public

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